

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v

STATE OF MICHIGAN; GRETCHEN  
WHITMER, in her official capacity as  
Governor of Michigan; and DANA NESSEL, in  
her official capacity as Michigan Attorney  
General,

Defendants.

No. 1:25-cv-00496-JMB-SJB

HON. JANE M. BECKERING

MAG. SALLY J. BERENS

**MOTION TO DISMISS  
PURSUANT TO RULE 12(b)(1)**

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**MOTION TO DISMISS PURSUANT TO RULE 12(b)(1)**

Defendants the State of Michigan; Gretchen Whitmer, in her official capacity as Governor of Michigan; and Dana Nessel, in her official capacity as the Michigan Attorney General, move under Federal Rule of Civil Procedure 12(b)(1) to dismiss Plaintiff the United States of America's Complaint for lack of subject-matter jurisdiction on ripeness grounds.

As required by W.D. Mich. LCivR 7.1(d)(i), on June 17, 2025, Counsel for the Defendants emailed Counsel for Plaintiff seeking its position on this motion. Without indicating its position, counsel asked to confer. Counsel for Defendants proposed a date and time for a call, but has heard nothing further from Counsel for Plaintiff.

Respectfully submitted,

/s/ Richard S. Kuhl

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Dated: June 20, 2025